

**Notice of Allowability**

Application No.

09/679,816

Examiner

Huy D. Nguyen

Applicant(s)

SAKAKURA, TAKASHI

Art Unit

2617

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/20/2006.
2. ☒ The allowed claim(s) is/are 1-7,9 and 11-19.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                               | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material         | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard Anderson on 3/16/2007.

The application has been amended as follows:

Claim 3, line 9: after "address", the following language has been inserted: -- wherein the terminal location database is a separate wirelessly communicating entity than the wireless terminal and the destination wireless terminal --.

Claim 12, line 8: after "the destination wireless terminal", the following language has been inserted: -- based on the position information of the destination mobile wireless terminal provided by the terminal location database, wherein the terminal location database periodically broadcasts a position and address of the terminal location database, wherein the terminal location database is a separate wirelessly communicating entity than the wireless terminal and the destination wireless terminal --.

Claim 13, line 8: after "the destination wireless terminal", the following language has been inserted: -- based on the position information of the destination wireless terminal provided by the terminal location database --.

Claim 13, line 10: after “the terminal location database”, the following language has been inserted: -- , wherein the terminal location database is a separate wirelessly communicating entity than the wireless terminal and the destination wireless terminal --.

Claim 18, line 16: after “the desired position”, the following language has been inserted: -- , wherein the terminal location database periodically broadcasts a position and address of the terminal location database, wherein the terminal location database is a separate wirelessly communicating entity than the wireless terminal and the destination wireless terminal --.

Claim 19, line 16: after “the desired position”, the following language has been inserted: -- wherein the terminal location database periodically broadcasts a position and address of the terminal location database, wherein the terminal location database is a separate wirelessly communicating entity than the wireless terminal and the destination wireless terminal --.

2. The following is an examiner’s statement of reasons for allowance:

Claims 1 and 17 have been amended to include the allowable subject matter of claim 10 and intervening claim 8. Thus claims 1 and 17 are now allowable with the reason set forth in the previous office action.

Claims 4-5, 9, 11, 15-16 depend on claim 1. Thus, they are allowable.

Regarding claim 12, the cited prior arts, either alone or in combination, fail to teach control direct communication between the wireless terminal and the destination wireless terminal based on the position information of the destination mobile wireless terminal provided by the terminal location database, wherein the terminal location database periodically broadcasts a position and address of the terminal location database, wherein the terminal location database is

a separate wirelessly communicating entity than the wireless terminal and the destination wireless terminal, in combination with all of other limitations in the claim.

Claim 14 depends on claim 12. Thus, it is allowable.

Claims 2-3, 6-7, 13 were previously allowed.

New claim 18 corresponds to allowable claim 4 rewritten in independent form to include the limitations of base claim 1.

Claim 19 corresponds to a combination of claim 17 and allowable dependent claim 4.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Huy D Nguyen  
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Art Unit 2617



JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER